

### **REMARKS**

Claims 1-20 and 23-51 are pending in the application. Claims 52-57 have been added herein. Support for these new claims can be found in the specification at, *inter alia*, page 25, lines 27-29; page 26, lines 27-29; and page 34, lines 20-33. Amendments have been made relative to the list of claims presented in the Amendment Pursuant to 37 C.F.R. § 1.116 filed May 29, 2003. Claims 1, 12, 23, and 49-51 have been amended herein to depend from new claims 52-57 respectively. In addition, claims 1, 4, 7, 9, 12, 15, 18, 20, 23, 26, 29, 31 and 49-51 have been amended to correspond more closely to the language in the new claims. Accordingly, no new matter has been added by these amendments and new claims. Thus, after entry of these changes, claims 1-20 and 23-57 will be pending in the application.

The Office Actions dated October 24, 2000 and June 20, 2001 denied Applicant the benefit of the earlier filing date of application 08/532,979 because the application allegedly failed to provide sufficient support for the method claimed in the instant application. Applicant respectfully traverses this determination.

Applicant respectfully submits that the pending claims are supported by priority application USSN 08/532,979. This priority application provides support for the newly added subject matter at, *inter alia*, page 21, lines 18-20, which refers to methods of treatment according to the invention administered "in conjunction with other therapeutic agents," and page 27, lines 28-31, which refers to administering one therapeutic composition of the invention "in combination with other known therapies for cancer." Furthermore, the specification of USSN 08/532,979 at page 20, lines 27-29 refers to "[s]upplementary active ingredients."

Thus, Applicant respectfully submits that there is sufficient support in priority application USSN 08/532,979 for the methods and compositions claimed in the instant application.

### CONCLUSIONS

In view of the arguments set forth above and in the Amendment Pursuant to 37 C.F.R. § 1.116 filed May 29, 2003, Applicant respectfully submits that there is sufficient support in priority application USSN 08/532,979 for the methods and compositions claimed in the instant application and that the rejections contained in the final Office Action mailed on January 29, 2003, have been overcome, and that the claims are in condition for allowance. If the Examiner believes that any further discussion of this communication would be helpful, she is invited to contact the undersigned at the telephone number provided below.

The Commissioner is authorized to charge deposit account no. 08-0219 the \$54.00 fee for the new claims added herein (6 unpaid-for claims in excess of 20).

Applicant also encloses herewith a Supplemental Information Disclosure Statement. As this Supplemental Information Disclosure Statement is being filed before the mailing of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114, no fee is believed to be due in connection with this submission pursuant to 37 C.F.R. §1.97(b)(4).

No other fees are believed to be due in connection with this response. However, please charge any underpayments or credit any overpayments to Deposit Account No. 08-0219.

Respectfully submitted,



Ann-Louise Kerner, Ph.D.  
Reg. No. 33,523

Date: October 6, 2003  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
Tel: (617) 526-6000  
Fax: (617) 526-5000